

REMARKS

This Application has been carefully reviewed in light of the Official Action mailed December 23, 2004. In order to advance prosecution of this Application, Claims 1 and 9 have been amended. Applicant respectfully requests reconsideration and favorable action for this Application.

Claims 1-3 and 5-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wooten, et al. in view of Trull. Therefore, Applicant respectfully submits that Claims 1-3 and 5-7 are patentably distinct from the proposed Wooten, et al. - Trull combination. Independent Claim 1 recites ". . . associating each entry after placement in the queue to one of a plurality of groups, each of the plurality of groups having a different transaction parameter criteria . . ." By contrast, the Wooten, et al. patent groups its transfers prior to placement within its queue so that its groups can be inserted into the queue in a particular order and can be output from the queue in a first in first out basis. Thus, even with the use of the queuing operation of the Trull, et al. patent with the queue of the Wooten, et al., there would still lack an ability to group entries after placement into a queue as required by the claimed invention. Support for the above recitation can be found at page 15, lines 8-12, and page 16, lines 13-21, of Applicant's specification. Therefore, Applicant respectfully submits that Claims 1-3 and 5-7 are patentably distinct from the proposed Wooten, et al.

Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Wooten, et al. in view of Trull and further in view of Garcia, et al. Independent Claim 1, from which Claim 4 depends, has been shown above to be patentably distinct from the proposed Wooten, et al. - Trull combination. Moreover, the Garcia patent does not include any additional

disclosure combinable with the Wooten, et al. or Trull patents that would be material to patentability of these claims. Therefore, Applicant respectfully submits that Claim 4 is patentably distinct from the proposed Wooten, et al. - Trull - Garcia, et al. combination.

Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Wooten, et al. in view of Trull and further in view of In re Yount. Independent Claim 1, from which Claim 8 depends, has been shown above to be patentably distinct from the proposed Wooten, et al. - Trull combination. Therefore, Applicant respectfully submits that Claim 8 is patentably distinct from the proposed Wooten, et al. - Trull - In re Yount combination.

Claims 9-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Meyers, et al. in view of Wooten, et al. and further in view of Trull. Independent Claim 9 recites ". . . associating entries after placement in the arbitration queue to one of a plurality of groups . . ." The Examiner readily admits that the Meyers, et al. patent fails to teach a collapsible arbitration queue. The Examiner cites the Trull patent to support a collapsible queue. However, the Trull patent places instructions into a queue without associating them with a group. To remedy this deficiency, the Examiner cites the Wooten, et al. patent for its grouping technique. However, as stated above, the Wooten, et al. patent groups its transfers prior to placement within its queue so that its groups can be inserted into the queue in a particular order and can be output from the queue in a first in first out basis. Thus, even with the use of the queuing operation of the Trull, et al. patent with the queue of the Wooten, et al., there would still lack an ability to group entries after placement into a queue as required by the claimed invention.

Support for the above recitation can be found at page 15, lines 8-12, and page 16, lines 13-21, of Applicant's specification. Therefore, Applicant respectfully submits that Claims 9-14 are patentably distinct from the proposed Meyers, et al. - Wooten, et al. - Trull combination.

Claim 15 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Meyers, et al. in view of Wooten, et al. and Trull and further in view of *In re Yount*. Independent Claim 9, from which Claim 15 depends, has been shown above to be patentably distinct from the proposed Meyers, et al. - Wooten, et al. - Trull combination. Therefore, Applicant respectfully submits that Claim 15 is patentably distinct from the proposed Meyers, et al. - Wooten, et al. - Trull - *In re Yount* combination.

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicant respectfully requests allowance of all pending claims.

No additional fee is believed to be due. However, the Commissioner is hereby authorized to charge any fees and/or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant



Charles S. Fish

Reg. No. 35,870

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Correspondence Address:

2001 Ross Avenue, Suite 600

Dallas, Texas 75201-2980

Phone: (214) 953-6507

Customer Number: 05073